

Fill in this information to identify your case:

United States Bankruptcy Court for the:

EASTERN DISTRICT OF NORTH CAROLINA

Case number (if known)

Chapter

11☐ Check if this an amended filing

Official Form 201

Voluntary Petition for Non-Individuals Filing for Bankruptcy

04/20

If more space is needed, attach a separate sheet to this form. On the top of any additional pages, write the debtor's name and the case number (if known). For more information, a separate document, *Instructions for Bankruptcy Forms for Non-Individuals*, is available.

1. Debtor's name **Grata Cafe, LLC**

2. All other names debtor used in the last 8 years

Include any assumed names, trade names and *doing business as* names

FDBA Grata Cafe and Market, LLC3. Debtor's federal Employer Identification Number (EIN) **86-2871884**

4. Debtor's address

Principal place of business

Mailing address, if different from principal place of business

**200 N. Greensboro Street
Suite B12
Carrboro, NC 27510**

Number, Street, City, State & ZIP Code

P.O. Box, Number, Street, City, State & ZIP Code

Orange

County

Location of principal assets, if different from principal place of business

Number, Street, City, State & ZIP Code

5. Debtor's website (URL)

6. Type of debtor

☒ Corporation (including Limited Liability Company (LLC) and Limited Liability Partnership (LLP))☐ Partnership (excluding LLP)☐ Other. Specify:

Debtor **Grata Cafe, LLC**
Name

Case number (if known)

7. Describe debtor's business A. *Check one:*

- ☐ Health Care Business (as defined in 11 U.S.C. § 101(27A))
- ☐ Single Asset Real Estate (as defined in 11 U.S.C. § 101(51B))
- ☐ Railroad (as defined in 11 U.S.C. § 101(44))
- ☐ Stockbroker (as defined in 11 U.S.C. § 101(53A))
- ☐ Commodity Broker (as defined in 11 U.S.C. § 101(6))
- ☐ Clearing Bank (as defined in 11 U.S.C. § 781(3))
- ☒ None of the above

B. *Check all that apply*

- ☐ Tax-exempt entity (as described in 26 U.S.C. § 501)
- ☐ Investment company, including hedge fund or pooled investment vehicle (as defined in 15 U.S.C. § 80a-3)
- ☐ Investment advisor (as defined in 15 U.S.C. § 80b-2(a)(11))

C. NAICS (North American Industry Classification System) 4-digit code that best describes debtor.
See <http://www.uscourts.gov/four-digit-national-association-naics-codes>.

8. Under which chapter of the Bankruptcy Code is the debtor filing?*Check one:*

- ☐ Chapter 7
- ☐ Chapter 9

☒ Chapter 11. *Check all that apply:*

A debtor who is a "small business debtor" must check the first sub-box. A debtor as defined in § 1182(1) who elects to proceed under subchapter V of chapter 11 (whether or not the debtor is a "small business debtor") must check the second sub-box.

- ☐ The debtor is a small business debtor as defined in 11 U.S.C. § 101(51D), and its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$2,725,625. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ The debtor is a debtor as defined in 11 U.S.C. § 1182(1), its aggregate noncontingent liquidated debts (excluding debts owed to insiders or affiliates) are less than \$7,500,000, **and it chooses to proceed under Subchapter V of Chapter 11**. If this sub-box is selected, attach the most recent balance sheet, statement of operations, cash-flow statement, and federal income tax return, or if any of these documents do not exist, follow the procedure in 11 U.S.C. § 1116(1)(B).
- ☐ A plan is being filed with this petition.
- ☐ Acceptances of the plan were solicited prepetition from one or more classes of creditors, in accordance with 11 U.S.C. § 1126(b).
- ☐ The debtor is required to file periodic reports (for example, 10K and 10Q) with the Securities and Exchange Commission according to § 13 or 15(d) of the Securities Exchange Act of 1934. File the *Attachment to Voluntary Petition for Non-Individuals Filing for Bankruptcy under Chapter 11* (Official Form 201A) with this form.
- ☐ The debtor is a shell company as defined in the Securities Exchange Act of 1934 Rule 12b-2.

☐ Chapter 12**9. Were prior bankruptcy cases filed by or against the debtor within the last 8 years?**

- ☒ No.
- ☐ Yes.

If more than 2 cases, attach a separate list.

District	_____	When	_____	Case number	_____
District	_____	When	_____	Case number	_____

Debtor **Grata Cafe, LLC**
Name

Case number (if known)

10. Are any bankruptcy cases pending or being filed by a business partner or an affiliate of the debtor?
- ☒ No
☐ Yes.

List all cases. If more than 1, attach a separate list

Debtor Relationship
District Case number, if known

11. Why is the case filed in this district?

Check all that apply:

- ☐ Debtor has had its domicile, principal place of business, or principal assets in this district for 180 days immediately preceding the date of this petition or for a longer part of such 180 days than in any other district.
- ☐ A bankruptcy case concerning debtor's affiliate, general partner, or partnership is pending in this district.

12. Does the debtor own or have possession of any real property or personal property that needs immediate attention?

☒ No

☐ Yes. Answer below for each property that needs immediate attention. Attach additional sheets if needed.

Why does the property need immediate attention? (Check all that apply.)

- ☐ It poses or is alleged to pose a threat of imminent and identifiable hazard to public health or safety.

What is the hazard?

- ☐ It needs to be physically secured or protected from the weather.

- ☐ It includes perishable goods or assets that could quickly deteriorate or lose value without attention (for example, livestock, seasonal goods, meat, dairy, produce, or securities-related assets or other options).

- ☐ Other

Where is the property?

Number, Street, City, State & ZIP Code

Is the property insured?

☐ No

☐ Yes. Insurance agency

Contact name

Phone

Statistical and administrative information

13. Debtor's estimation of available funds

Check one:

- ☒ Funds will be available for distribution to unsecured creditors.
- ☐ After any administrative expenses are paid, no funds will be available to unsecured creditors.

14. Estimated number of creditors

☒ 1-49

☐ 50-99

☐ 100-199

☐ 200-999

☐ 1,000-5,000

☐ 5,001-10,000

☐ 10,001-25,000

☐ 25,001-50,000

☐ 50,001-100,000

☐ More than 100,000

15. Estimated Assets

☒ \$0 - \$50,000

☐ \$50,001 - \$100,000

☐ \$100,001 - \$500,000

☐ \$500,001 - \$1 million

☐ \$1,000,001 - \$10 million

☐ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$500,000,001 - \$1 billion

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

16. Estimated liabilities

☐ \$0 - \$50,000

☐ \$1,000,001 - \$10 million

☐ \$500,000,001 - \$1 billion

Debtor

Grata Cafe, LLC

Name

Case number (if known)

☐ \$50,001 - \$100,000

☒ \$100,001 - \$500,000

☐ \$500,001 - \$1 million

☐ \$10,000,001 - \$50 million

☐ \$50,000,001 - \$100 million

☐ \$100,000,001 - \$500 million

☐ \$1,000,000,001 - \$10 billion

☐ \$10,000,000,001 - \$50 billion

☐ More than \$50 billion

Debtor **Grata Cafe, LLC**
Name

Case number (if known)

Request for Relief, Declaration, and Signatures**WARNING** -- Bankruptcy fraud is a serious crime. Making a false statement in connection with a bankruptcy case can result in fines up to \$500,000 or imprisonment for up to 20 years, or both. 18 U.S.C. §§ 152, 1341, 1519, and 3571.**17. Declaration and signature
of authorized
representative of debtor**

The debtor requests relief in accordance with the chapter of title 11, United States Code, specified in this petition.

I have been authorized to file this petition on behalf of the debtor.

I have examined the information in this petition and have a reasonable belief that the information is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on **March 8, 2022**
MM / DD / YYYY**X /s/ Jerome Radford**

Signature of authorized representative of debtor

Jerome Radford

Printed name

Title **Member-Manager****18. Signature of attorney****X /s/ Travis Sasser**

Signature of attorney for debtor

Date **March 8, 2022**

MM / DD / YYYY

Travis Sasser 26707

Printed name

Sasser Law Firm

Firm name

**2000 Regency Parkway
Suite 230
Cary, NC 27518**

Number, Street, City, State & ZIP Code

Contact phone **919.319.7400**Email address **travis@sasserbankruptcy.com****26707 NC**

Bar number and State

Fill in this information to identify the case:Debtor name **Grata Cafe, LLC**United States Bankruptcy Court for the: **EASTERN DISTRICT OF NORTH CAROLINA**

Case number (if known): _____

☐ Check if this is an amended filing**Official Form 204****Chapter 11 or Chapter 9 Cases: List of Creditors Who Have the 20 Largest Unsecured Claims and Are Not Insiders****12/15**

A list of creditors holding the 20 largest unsecured claims must be filed in a Chapter 11 or Chapter 9 case. Include claims which the debtor disputes. Do not include claims by any person or entity who is an insider, as defined in 11 U.S.C. § 101(31). Also, do not include claims by secured creditors, unless the unsecured claim resulting from inadequate collateral value places the creditor among the holders of the 20 largest unsecured claims.

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services, and government contracts)	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Boer Brothers Attn: Managing agent 104-R NC Hwy 54 West #333 Carrboro, NC 27510		Account				\$5,000.00
Capital One Bank USA Attn: Managing Officer 15000 Capital One Dr Richmond, VA 23238		Account				\$4,600.00
Carr Mill Mall Limited Partnership Attn: Managing Agent Post Office Box 673 Carrboro, NC 27510		Unpaid rent				\$19,000.00
CFG Merchant Solutions Attn: Managing Agent/Bankruptcy 180 Maiden Lane 15th Floor New York, NY 10038		All assets		\$17,160.00	\$0.00	\$17,160.00
Complete Funding Group Attn: Managing agent 333 City Blvd. W. Suite 1700 Orange, CA 92868		Account				\$14,000.00

Debtor **Grata Cafe, LLC**
Name

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Dominion Energy Attn: Managing Agent/Bankruptcy Post Office Box 100256 Columbia, SC 29202		Gas line installation				\$4,100.00
Duke Energy Attn: Managing Agent/Bankruptcy PO Box 960 Cincinnati, OH 45201-0960		Utility				\$7,000.00
Green Grass Capital Attn: Managing agent 1 Whitehall Street, Suite 200 New York, NY 10004		All assets		\$3,000.00	\$0.00	\$3,000.00
Independent Funding Group Attn: Managing agent 1829 Coney Island Avenue Brooklyn, NY 11230		All assets		\$17,988.00	\$0.00	\$17,988.00
Intuit Payroll Services EMS Risk Management 6884 Sierra Center Parkway Reno, NV 89511		Account				\$16,000.00
Jose Juan Garcia 1100 Poplar Avenue Garner, NC 27529		Account				\$16,000.00
Navitas Credit Corp 201 Executive Center Drive Suite 100 Columbia, SC 29210		Account				\$16,000.00
Paychex, Inc. 15501 Weston Parkway, Suite 100 Cary, NC 27513		Account				\$15,753.12
Performance Food Service Attn: Managing Agent/Bankruptcy 543 12th Street Drive NW Hickory, NC 28601		Account				\$7,286.14

Debtor **Grata Cafe, LLC**
Name

Case number (if known)

Name of creditor and complete mailing address, including zip code	Name, telephone number and email address of creditor contact	Nature of claim (for example, trade debts, bank loans, professional services,	Indicate if claim is contingent, unliquidated, or disputed	Amount of claim If the claim is fully unsecured, fill in only unsecured claim amount. If claim is partially secured, fill in total claim amount and deduction for value of collateral or setoff to calculate unsecured claim.		
				Total claim, if partially secured	Deduction for value of collateral or setoff	Unsecured claim
Pinnacle Credit Services Attn: Bankruptcy Department PO Box 740933 Dallas, TX 75374-0933		Account				\$5,495.00
Sparrow & Sons Plumbing & Heating Attn: Managing Agent/Bankruptcy 305 W. Weaver Street Carrboro, NC 27510		Account				\$29,000.00
Spothopper, LLC Attn: Managing agent 324 E. Wisconsin Avenue, Suite 710 Milwaukee, WI 53202-4300		Account				\$4,200.00
Time Payment Attn: Managing Agent 10-M Commerce Way Woburn, MA 01801		Kitchen equipment		\$4,496.58	\$500.00	\$3,996.58
Toast Capital Attn: Managing agent 401 Park Drive, Suite 801 Boston, MA 02215		Account				\$36,700.00
Vend Lease Company, Inc. Attn: Managing Agent 8100 Sandpiper Cir, Suite 300 Baltimore, MD 21236		Kitchen equipment		\$18,000.00	\$500.00	\$17,500.00

**United States Bankruptcy Court
Eastern District of North Carolina**

In re **Grata Cafe, LLC**

Debtor(s)

Case No.

Chapter

11

VERIFICATION OF CREDITOR MATRIX

I, the Member-Manager of the corporation named as the debtor in this case, hereby verify that the attached list of creditors is true and correct to the best of my knowledge.

Date: **March 8, 2022**

/s/ Jerome Radford

Jerome Radford/Member-Manager

Signer/Title

Date: **March 8, 2022**

/s/ Travis Sasser

Signature of Attorney

Travis Sasser 26707

Sasser Law Firm

2000 Regency Parkway

Suite 230

Cary, NC 27518

919.319.7400 Fax: 919.657.7400

Boer Brothers
Attn: Managing agent
104-R NC Hwy 54 West #333
Carrboro, NC 27510

Duke Energy
Attn: Managing Agent/Bankruptcy
PO Box 960
Cincinnati, OH 45201-0960

Jose Juan Garcia
1100 Poplar Avenue
Garner, NC 27529

Bonneville Electric
Attn: Managing agent
210 B Maple Avenue
Carrboro, NC 27510

Ecolab Pest
Attn: Managing Agent/Bankruptcy
Post Office Box 9658
Minneapolis, MN 55440

Lilly's Gourmet Pasta
Attn: Managing agent
1528 Tremont Street
Boston, MA 02120

Capital One Bank USA
Attn: Managing Officer
15000 Capital One Dr
Richmond, VA 23238

Golden Malted
Attn: Managing agent
4101 William Richardson Drive
South Bend, IN 46628

Navitas Credit Corp
201 Executive Center Drive
Suite 100
Columbia, SC 29210

Carr Mill Mall Limited Partnership
Attn: Managing Agent
Post Office Box 673
Carrboro, NC 27510

Green Grass Capital
Attn: Managing agent
1 Whitehall Street, Suite 200
New York, NY 10004

NC Department of Revenue
Office Serv. Div., Bankruptcy Unit
Post Office Box 1168
Raleigh, NC 27602-1168

Carrboro Coffee Roasters
Attn: Managing agent
101 S. Greensboro Street
Carrboro, NC 27510

Greenberg, Grant & Richard, Inc
5858 Westheimer Road, Ste 500
Houston, TX 77057

NuCo2
Attn: Managing Agent
PO Box 9011
Stuart, FL 34995

CFG Merchant Solutions
Attn: Managing Agent/Bankruptcy
180 Maiden Lane 15th Floor
New York, NY 10038

Haw River Wine Man
Attn: Managing agent
PO Box 2043
Burlington, NC 27216

Paychex, Inc.
15501 Weston Parkway, Suite 100
Cary, NC 27513

Chubb & Son
Attn: Managing Agent/Bankruptcy
600 Independence Parkway
Chesapeake, VA 23320

Independent Funding Group
Attn: Managing agent
1829 Coney Island Avenue
Brooklyn, NY 11230

Pepsi
Attn: Managing Agent
700 Anderson Hill Road
Purchase, NY 10577

Complete Funding Group
Attn: Managing agent
333 City Blvd. W. Suite 1700
Orange, CA 92868

Internal Revenue Service
Centralized Insolvency Operations
P. O. Box 7346
Philadelphia, PA 19101-7346

Performance Food Service
Attn: Managing Agent/Bankruptcy
543 12th Street Drive NW
Hickory, NC 28601

Dominion Energy
Attn: Managing Agent/Bankruptcy
Post Office Box 100256
Columbia, SC 29202

Intuit Payroll Services
EMS Risk Management
6884 Sierra Center Parkway
Reno, NV 89511

Pinnacle Credit Services
Attn: Bankruptcy Department
PO Box 740933
Dallas, TX 75374-0933

ProGuard Service & Solution
Attn: Managing Agent/Bankruptcy
Post Office Box 32027
New York, NY 10087

US Foods, Inc.
Attn: Managing agent
1500 NC Highway 39
Zebulon, NC 27597

Secure Capital Solutions
Attn: Managing agent
1829 Coney Island Avenue
Brooklyn, NY 11230

Vend Lease Company, Inc.
Attn: Managing Agent
8100 Sandpiper Cir, Suite 300
Baltimore, MD 21236

Sparrow & Sons Plumbing & Heating
Attn: Managing Agent/Bankruptcy
305 W. Weaver Street
Carrboro, NC 27510

Spothopper, LLC
Attn: Managing agent
324 E. Wisconsin Avenue, Suite 710
Milwaukee, WI 53202-4300

Tarheel Linen Service
Attn: Managing Agent/Bankruptcy
Post Office Box 15028
Durham, NC 27704

Tayne Law Group
135 Pinelawn Road
Suite 250M
Melville, NY 11747

The Hartford
Attn: Managing Agent/Bankruptcy
Post Office Box 660916
Dallas, TX 75266

Time Payment
Attn: Managing Agent
10-M Commerce Way
Woburn, MA 01801

Toast Capital
Attn: Managing agent
401 Park Drive, Suite 801
Boston, MA 02215

**United States Bankruptcy Court
Eastern District of North Carolina**

In re **Grata Cafe, LLC**

Debtor(s)

Case No.

Chapter

11

STATEMENT REGARDING AUTHORITY TO SIGN AND FILE PETITION

I, **Jerome Radford**, declare under penalty of perjury that I am the **Member-Manager** of **Grata Cafe, LLC**, and that the following is a true and correct copy of the resolutions adopted by the Board of Directors of said corporation at a special meeting duly called and held on the **8th** day of **March**, 2022.

"Whereas, it is in the best interest of this corporation to file a voluntary petition in the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that **Jerome Radford, Member-Manager** of this Corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter **11** voluntary bankruptcy case on behalf of the corporation; and

Be It Further Resolved, that **Jerome Radford, Member-Manager** of this Corporation is authorized and directed to appear in all bankruptcy proceedings on behalf of the corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the corporation in connection with such bankruptcy case, and

Be It Further Resolved, that **Jerome Radford, Member-Manager** of this Corporation is authorized and directed to employ **Travis Sasser**, attorney and the law firm of **Sasser Law Firm** to represent the corporation in such bankruptcy case."

Date **March 7, 2022**Signed **/s/ Jerome Radford**
Jerome Radford

Resolution of Board of Directors
of
Grata Cafe, LLC

Whereas, it is in the best interest of this corporation to file a voluntary petition in the the United States Bankruptcy Court pursuant to Chapter 11 of Title 11 of the United States Code;

Be It Therefore Resolved, that **Jerome Radford, Member-Manager** of this Corporation, is authorized and directed to execute and deliver all documents necessary to perfect the filing of a chapter 11 voluntary bankruptcy case on behalf of the corporation; and

Be It Further Resolved, that **Jerome Radford, Member-Manager** of this Corporation is authorized and directed to appear in all bankruptcy proceedings on behalf of the corporation, and to otherwise do and perform all acts and deeds and to execute and deliver all necessary documents on behalf of the corporation in connection with such bankruptcy case, and

Be It Further Resolved, that **Jerome Radford, Member-Manager** of this Corporation is authorized and directed to employ **Travis Sasser 26707**, attorney and the law firm of **Sasser Law Firm** to represent the corporation in such bankruptcy case.

Date **March 7, 2022** _____

Signed **/s/Jerome Radford**
Jereome Radford _____

Date **March 7, 2022** _____

Signed _____